

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ROBERT FOX

§

VS.

§

CIVIL ACTION NO. 6:09cv75

JAMES CAMPBELL

§

ORDER OF PARTIAL DISMISSAL
AND ADMINISTRATIVE CLOSING

Plaintiff Robert Fox, an inmate confined in the Cherokee County Jail, proceeding *pro se* and *in forma pauperis*, filed the above-styled and numbered civil rights lawsuit. The complaint was referred to United States Magistrate Judge Judith K. Guthrie, who issued a Report and Recommendation for the disposition of the case. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the Plaintiff's denial of access to court claims are **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1). It is further

ORDERED that the Plaintiff's remaining claims concerning the criminal charges pending against him are administratively closed until the criminal charges have run their course. It is further

ORDERED that the Plaintiff may file a motion to place the case back on the active docket that must include an attachment consisting of a certified order of dismissal or a judgment from the applicable Cherokee County court regarding the criminal charges that are pending against him. The case will not be returned to the active docket if a certified copy of the order of dismissal or judgment is not tendered. It is further

ORDERED that the Clerk shall return unfiled any motions or documents submitted by the Plaintiff other than a motion to place the case back on the active docket until the case is returned to the active docket.

SIGNED this 19th day of April, 2009.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE